

RURAL UTILITIES SERVICE



Application Guide ***Fiscal Year 2003***

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Rural Utilities Service Public Television Station Digital Transition Grant Program

This Grant Program provides financing to assist Public Television Stations serving substantial rural populations in implementing the Federal Communications Commission's mandated transition from analog to digital broadcast television transmission. Grant funds may be used to acquire, by purchase or lease, and install facilities and software necessary for the transition. Grant funds may also be used for associated engineering and environmental studies necessary for this purpose. For Fiscal Year 2003, \$15 million in grants will be made available.

Before You Get Started

Please read the *Notice of Funds Availability* (NOFA) published in the Federal Register on July 18, 2003. A copy is included in this guide as attachment 13.

This Application Guide is intended to provide practical step-by-step help to assist applicants through the process. However, should anything in this guide appear to conflict with the NOFA, the NOFA takes precedence.

General Information

When and Where to Submit Your Application:

The Application Deadline is:

September 16, 2003

An original and two copies of a **completed application** must either be delivered to RUS or carry evidence of having been shipped by this deadline.

Submit your Application to:

ROBERTA D. PURCELL, ASST. ADM. TELECOMMUNICATIONS PROGRAM
RURAL UTILITIES SERVICE, USDA
STOP 1590, ROOM 5151-S
1400 INDEPENDENCE AVENUE, SW
WASHINGTON, DC 20250-1590

Hand Delivered Applications:

Hand-delivered applications will be accepted daily between 8:00 a.m. and 4:30 p.m. (Eastern Standard Time), except Saturdays, Sundays and Federal holidays. Individuals delivering applications must provide proper identification to enter the building.

Shipped Applications:

Applications must show proof of shipping by the deadline consisting of one of the following:

1. A legible U.S. Postal Service (USPS) postmark;
2. A legible mail receipt with the date of mailing stamped by the USPS; or
3. A dated shipping label, invoice, or receipt from a commercial carrier.

Applicants should note that the USPS does not uniformly provide a dated postmark. Before relying on this method, an applicant should check with the post office. For applications sent through the USPS, neither of the following is acceptable as proof of mailing:

1. A private metered postmark; or
2. Any other receipt not dated by the USPS.

Applications not received or shipped by the deadline will be returned with notification that the applicant will not be considered for funding.

Key Definitions:

Please refer to the NOFA (Attachment 13) for all defined terms.

Consortium: A combination or group of public television stations.

Digital Television Coverage Area: The geographic area that will be covered by a public television station after its digital transition. This shall be defined using the Irregular Terrain Model (Longley-Rice model) developed by and available from the National Telecommunications Information Administration at <http://elbert.its.bldrdoc.gov/itm.html>. For translators only, an applicant may define the digital coverage area using an alternative means, which must be explained fully in the application and is subject to acceptance by the RUS.

Digital Transition: A conversion from analog television broadcasting to digital television broadcasting. To perform the digital transition according to Federal Communications Commission rules, a broadcaster must initiate digital television broadcasting while continuing to operate analog television broadcasting, to enable viewers time to acquire digital television reception capability, and subsequently discontinue analog television broadcasting.

Rural Area: Any area of the United States not included within the boundaries of any incorporated or unincorporated city, village, or borough having a population in excess of 20,000 inhabitants. In addition to the 50 States and the District of Columbia, this applies to any area affiliated with the United States that is subject to the jurisdiction of the Federal Communications Commission such as Guam, Puerto Rico, and the US Virgin Islands.

Total project cost: The estimated sum of expenditures necessary for a public television station to perform the digital transition for all of the rural population in its digital television coverage area. This would include RUS grant funds requested, and funding contributions for this purpose from other organizations, including other Federal government programs

Contacting RUS:

For additional information concerning this grant program, please contact:
Orren E. Cameron, Director Advanced Services Division
1400 Independence Avenue SW Stop 1550
Washington, DC 20250-1500

Phone: 202-720-0665
Fax 202-720-1051

Information about RUS and RUS programs, including downloadable documents such as this application guide and **additional blank forms**, may be found at

<http://www.usda.gov/rus/telecom>

Applying for a Grant

Applicant Eligibility:

To be eligible, the applicant must be a public television station that serves a rural area (or a consortium of public television stations, each of which serves a rural area) regardless of whether they also serve an urban area. The applicant must also be required to convert from analog to digital transmission under the rules of the Federal Communications Commission.

Important Note About Consortia

Consortia can be either formal legal entities or informal groups working toward a common goal. If a consortium lacks the legal capacity to contract, each individual entity must contract with RUS on its own behalf.

Grant Amounts:

The maximum grant for an individual public television station is \$2 million. The maximum for a consortium is \$2 million for the first station and \$1 million for each additional station in the consortium up to a maximum of \$5 million. Only one grant will be made to an individual station or consortium in this or any other fiscal year under this program.

Eligible Purposes:

Grants may be used to install digital television facilities through purchase or lease (up to 3 years of lease costs); and for associated engineering and environmental studies. All broadcast facilities acquired under this program must be capable of delivering both digital television (DTV, sometimes called standard definition) and high definition television (HDTV) at both the interim and final channel power authorizations. Grant funds may be used to fund facilities directly connected to the digital transition of the broadcast signal such as:

- ◆ Digital transmitters,
- ◆ Digital translators,
- ◆ Transmitting antennas,
- ◆ New towers or improvements to existing towers necessary for antenna installation,

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- ◆ Tower ground infrastructure such as land, buildings, fencing, standby power, and where commercial power is unreliable, power generation and conditioning facilities,
- ◆ Studio to transmitter/translator communication links, and
- ◆ Subject to RUS approval, other facilities directly necessary for the digital transition of the broadcast signal.

Ineligible Purposes:

Grants shall not be used:

- ◆ To fund operations or for facilities not owned by the applicant (except for leased facilities as described above).
- ◆ To acquire facilities not directly connected to the digital transition of the broadcast signal such as cameras, production and editing equipment, or datacasting equipment.
- ◆ For salaries, wages, and other public television employee benefits.
- ◆ Construction performed or expenditures made prior to the application deadline of **September 16, 2003**.
- ◆ For facilities funded under other grants.

Matching Funds:

No matching funds are required under this program.

Completing the Grant Application

This section describes all of the information necessary to prepare a complete application:

- A. An Application for Federal Assistance, Standard Form 424**
- B. Evidence of Eligibility**
- C. Project Description**
- D. Scoring Documentation**
- E. Federal Communications Commission Authorization**
- F. Compliance with Other Federal Statutes and Regulations**
- G. Environmental Impact and Historic Preservation**

A. An Application for Federal Assistance, Standard. Form 424:

Complete this form and attach a **resolution of the board of the directors (or governing body)** of the public television station, legal consortium, or stations in the case of an informal consortium. Please see the note about Consortia on page 6. A copy of Standard Form 424 is provided below as Attachment 1.

B. Evidence of Eligibility:

The Applicant must provide evidence demonstrating that it (or for a consortium, that each member of the consortium) meets the definition of a public television station. For the purpose of this Program, a public television station must meet both 1 and either 2a or 2b. That is to say, a public television station is an organization which:

1. Qualifies for Federal funding under Section 396(k) of the Public Broadcasting Act of 1967.
2. And which is **either**:
 - a. Under the rules and regulations of the Federal Communications Commission in effect on November 2, 1978, eligible to be licensed as a noncommercial educational broadcast station and which is owned and operated by a public agency or nonprofit private foundation, corporation, or association; **or**
 - b. Owned and operated by a municipality and which transmits only noncommercial programs for education purposes,

C. Project Description:

The Applicant shall provide a description of the Project including:

- An Executive Summary
- A Project Cost Spreadsheet
- Broadcast Coverage Maps, &
- A Complete Narrative Description

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1. Executive Summary - This provides a brief description of the entire project and should not exceed two pages.
2. Project Cost Spreadsheet – This spreadsheet details all the estimated costs associated with the project and the source of the funding (including all other funding such as station funds and other Federal funds) so that RUS can determine that all costs financed with Program Grant funds are for eligible purposes. The following Sample Budget is a simplified example of a project cost spreadsheet. It is illustrative of one approach, not a required format.

Total Project Cost		
Item	Description	Cost
RUS Grant Financed Equipment		
Snedling UHF1 Transmitter		\$ 14.50
Fresnic Broadcast Antenna		22.48
Tower		86.78
RUS Grant Financed Construction		
Equipment Installer.	Install Trans.and Antenna	39.87
Cable Installer	Furnish and Install Cable from Studio to Tranm. & Elec to tower site	16.50
Construc. Co.	Build tower foundation and install tower.	38.92
Total RUS Grant Financing Requested		\$219.05
Station Financed Equipment & Constr.		
Digital Cameras		\$ 5.00
Install Digital Studio Equip.		24.50
Donations		
Digital Editing Studio	From: <i>Center City friends of Public Television</i>	37.00.
Total Non-RUS Financing		66.50
Total Project Cost		285.55

3. Broadcast Coverage Map(s) – These maps reflect the area(s) to be served by the public television station (or consortium) after its transition to digital broadcasting. The coverage maps are to be based on the Irregular Terrain Model (Longley-Rice model) developed by and available from the National Telecommunications Information Administration (NTIA) at:

<http://elbert.its.blrdoc.gov/itm.html>.

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Note: for translators only, an applicant may either use the Longely-Rice Model or may define the digital coverage area using an alternative means, which must be explained fully in the application and is subject to acceptance by the RUS.

4. Complete Narrative Description – This describes the entire digital transition project in detail. Among the details to include are:

- a. A description of facilities and equipment to be purchased and constructed.
- b. A timeline showing the introduction of digital service and the phase-out of analog service.
- c. Any explanations necessary for understanding the cost spreadsheet and maps.

D. Scoring Documentation:

All complete applications from eligible applicants that meet the application deadline will be scored in a competitive process to determine which projects are funded. There are three scoring categories. The first is rurality, a measure of the rural character of the applicant's digital television coverage area. Up to 50 points can be earned in this category. The second uses *per capita* income as a measure of the economic need of the people in the applicant's coverage area. This category earns up to 35 points. Finally, up to 15 points can be awarded based on critical need.

Three Scoring Categories Totaling 100 Points

- Rurality up to **50** Points
- Per capita Income up to **35** Points
- Critical Need up to **15** Points

Important Note About the Rurality and Per Capita Income Calculations:

The calculations shall be based on population and income data from the 2000 Census and from the Department of Commerce's Bureau of Economic Analysis.

Population statistics are available at:

www.census.gov/main/www/cen2000.html

At this site, click on "Data Highlights" to search for local population data.

County *per capita* personal income statistics are available at

www.bea.doc.gov/bea/regional/reis/

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1. Rurality – Applicants shall calculate their rurality score and provide supporting documentation for evaluation by RUS. The supporting documentation shall include maps and worksheets showing the digital television coverage area and the parts of that area that are considered urban under this NOFA (over 20,000). The applicant shall also provide estimates of the population in the coverage area broken into rural and urban totals. Also, if any of this information is prepared by or with the assistance of people not directly employed by the applicant (such as a consultant), the applicant shall state the details of this assistance.

- a. If the total population in the applicant's digital television coverage area is under 100,000, the application receives all 50 points.
- b. If the total population in the digital coverage area is 100,000 or more, the score is based on the rural percentage (rounded to the nearest whole number) of the total population in that area:

$\frac{\text{Rural Population}}{\text{Total Population}}$	Score
Below 50%	Zero
51 – 57%	10
58 – 65%	20
66 - 74%	35
75% and above	50

2. Per Capita Income - Per capita income (PCI) is a measure of the relative average earnings of the population in the applicant's digital television coverage area. Applicants shall calculate their *per capita* income score and provide the supporting information for review by RUS. Applicants are to use the per capita personal income by county, as determined by the Bureau of Economic Analysis.

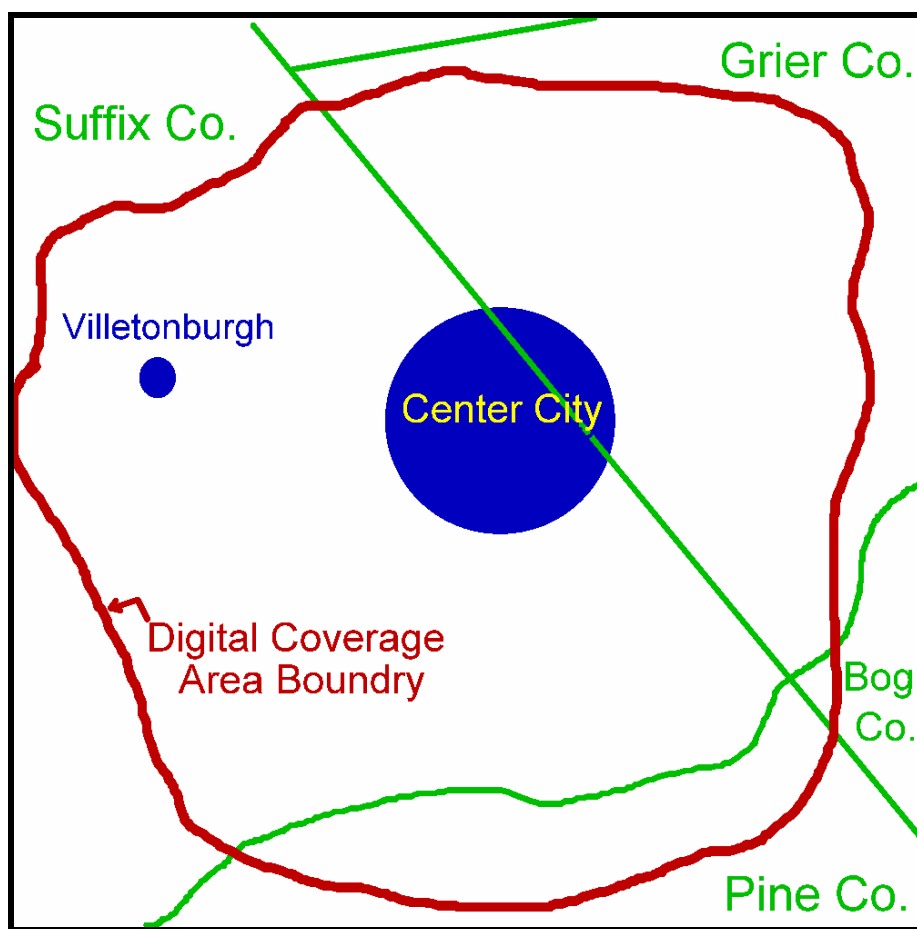
The applicant computes the average PCI for its digital television coverage area by calculating an average PCI for the counties (served in whole or in part) in the digital television coverage area. The ratio of the applicant's average PCI to the National Average Per Capita Income (NAPCI) is scored as follows:

$\frac{PCI}{NAPCI}$	Score
$\geq 80\%$	Zero
$\geq 70\%$ but $< 80\%$	10
$\geq 60\%$ but $< 70\%$	20
$< 60\%$	35

Example:

Below is a sample calculation that demonstrates how to calculate the **rurality** and *per capita income* calculations. Real-world calculations are likely to be more complicated but the concept is unchanged.

Imagine the area around Center City in the state of Virginia. The digital service area is shown by the red line. The service area includes parts of four counties and contains two areas with population in excess of 20,000. Within the digital coverage area, the balance of the population is rural.



Using Department of Commerce income and census data, numbers like the following can be obtained either directly or by estimate:

County-Wide Population and Income Data				
	Suffix Co.	Grier Co.	Pine Co.	Bog Co.
County <i>Per Capita Income</i> (\$)	21,000	19,000	12,000	9,000
County Population Total	140,000	75,000	56,000	49,000

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Digital Coverage Area (DCA) Population Data				
	Suffix Co.	Grier Co.	Pine Co.	Bog Co.
DCA Center City	38,000	9,000		
DCA Villettonburgh	21,000			
DCA Rural	31,000	28,000	4,600	1,300
DCA Total	90,000	37,000	4,600	1,300

To calculate **rurality**, compare the rural population to the total population in the digital coverage area.

The total DCA rural population is $31,000 + 28,000 + 4,600 + 1,300 = 68,900$
The total DCA population is $90,000 + 37,000 + 4,600 + 1,300 = 132,900$

Therefore, the rurality calculation, $\frac{\text{Rural Population}}{\text{Total Population}} = 51.84\%$ which

This rounds to 52% and yields a rurality score of 10 points.

To calculate **per capita income** (pci), compute the average of the four counties in the digital coverage area.

Then
$$\frac{PCI}{NACPI} = \frac{(21,000 + 19,000 + 12,000 + 9,000) / 4}{30,000} = 50.83\%$$

This yields a per capita income score of 35 points.

Where an applicant (or consortium) has more than one digital coverage area, a separate rurality may be calculated for each coverage area. The composite score is then obtained by calculating a population-weighted average. As an alternative, the applicant may compile all the coverage areas into one calculation which produces an equivalent result. The composite PCI score is obtained by averaging the per capita income of all the counties (served in whole or in part) in all of the digital serving areas.

3. Critical Need - Critical need is a measure of the special difficulty an applicant may experience performing the digital transition, and the dependence the applicant's rural communities have on its services. This scoring category is intended to account for factors not covered by other categories and the points are awarded by RUS based on information supplied by the applicant.

The applicant must demonstrate that it cannot make the digital transition without a grant from RUS, and that rural education and other community service needs will go unmet as a result. An applicant should identify special characteristics unique to its digital television coverage area and its service relationship with its viewers, such as:

- a. Geographic or coverage characteristics of the public television station's digital television coverage area that make the digital transition unusually expensive.
- b. A severe lack of specialized human resources (such as teachers) for which digital educational television will compensate.
- c. Geographic isolation of communities which will be overcome with public television station services.
- d. Non-traditional community needs (such as adult vocational retraining) that may be met only with digital public television station broadcast capabilities.
- e. Economic conditions that place the applicant at a disadvantage in raising local funding, but which are not reflected to the per capita income levels scored above.
- f. Historical events that have placed the public television station in severe financial stress.

E. Federal Communications Commission Authorization:

The applicant shall provide evidence that the Federal Communications Commission has authorized the initiation of digital broadcasting at each of the applicant's transmitter and translator sites. In the event that a Federal Communications Commission construction permit has not been issued for one or more sites, the RUS may include those sites in the grant, and make advance of funds for that site conditional upon the submission of a construction permit.

F. Compliance with other Federal Statutes and Regulations:

The applicant is required to submit evidence that it is in compliance with other Federal statutes and regulations as follows:

1. E.O. 11246, Equal Employment Opportunity, as amended by E.O. 11375 and as supplemented by regulations contained in 41 CFR part 60, Attachment 3
- 2.. Architectural barriers, Attachment 4;
3. Flood hazard area precautions, Attachment 5;
4. Assistance and Real Property Acquisition Policies Act of 1970, Attachment 6;
5. Drug-Free Workplace Act of 1998 (41 U.S.C. 701), Attachment 7;
6. E.O.s 12549 and 12689, Debarment and Suspension; (**See 7 CFR 3017.510**), Attachment 8;
7. Byrd Anti-Lobbying Amendment (31 U.S.C. 1352), Attachment 9; If the applicant is engaged in lobbying activities, the applicant must submit a completed disclosure form, "Disclosure of Lobbying Activities" (**See 7 CFR Part 3018**); and
8. Federal Obligations Certification on Delinquent Debt, Attachment 10.
9. Compliance with 41 USC §§ 10a-10d, "Buy American" procurement provisions.

G Environmental Impact and Historic Preservation:

The applicant must provide details of the digital transition's impact on the environment and historic preservation, and comply with 7 CFR 1794, which contains RUS' policies and procedures for implementing a variety of federal statutes, regulations, and executive orders generally pertaining to the protection of the quality of the human environment.

The application shall contain a separate section entitled "Environmental Impact of the Digital Transition." This shall include the Environmental Questionnaire/Certification, attachment 11, on which the applicant describes the impact of its digital transition. Submission of the Environmental Questionnaire/Certification does not constitute compliance with 7 CFR 1794.

For a digital transition project that only involves internal modifications or equipment additions to buildings or other structures, the environmental information normally required includes a description of the internal modifications or equipment additions, the size of the site in hectares, and the general nature of the proposed use of the facilities once the project is completed, including any hazardous materials to be used, created or discharged, any substantial amount of air emissions, wastewater discharge, or solid waste that will be generated.

Putting It All Together

The grant application should be **assembled** and **tabbed** in the following order: Numbered attachments have been provided at the end of this guide for your use. Remember that additional blank forms are available at the RUS website (<http://www.usda.gov/rus/telecom>). Please use only the applicable attachments listed below.

Item No.	Description	Application Guide Attachment No.
1	A completed <i>Application for Federal Assistance</i> , Std. Form 424	1
2	Summary Worksheet	2
3	Evidence of Eligibility	
4	Executive Summary	
5	Project Cost Spreadsheet	
6	Broadcast Coverage Maps	
7	Complete Narrative Description	

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8	Applicant's estimated Rurality Scoring	
9	Applicant's estimated <i>Per capita</i> Scoring	
10	Critical Need Information	
11	Federal Communications Commission Authorization	
12	E.O. 11246, Equal Employment Opportunity, as amended by E.O. 11375 and as supplemented by regulations contained in 41 CFR part 60	3
13	Certificate Regarding Architectural Barriers	4
14	Certificate Regarding Flood Hazard Area Precautions	5
15	Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 Certification	6
16	Certification Regarding Drug-Free Workplace Requirements	7
17	E.O.s 12549 and 12689, Debarment and Suspension; (See 7 CFR 3017.510)	8
18	Byrd Anti-Lobbying Amendment (31 U.S.C. 1352). If the applicant is engaged in lobbying activities, the applicant must submit a completed disclosure form, "Disclosure of Lobbying Activities" (See 7 CFR Part 3018)	9
19	Federal Obligations Certification on Delinquent Debt	10
20	Environmental Impact and Historic Preservation	11
21	Buy American Certification	12
21	Supplemental Information (If Any)	

Sample forms are attached following this page.

1. TYPE OF SUBMISSION:	<i>Preapplication</i>
Application	<input type="checkbox"/> Construction
<input type="checkbox"/> Non-Construction	<input type="checkbox"/> Non-Construction

Application Identifier

State Application Identifier

Federal Identifier

Organizational Unit

Name and telephone number of the person to be contacted on matters involving this application (give area code)

Technical:

Budgetary:

Contractual:

		-							
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A. State	H. Independent School Dist.
B. County	I. State Controlled Institution of Higher Learning
C. Municipal	J. Private University
D. Township	K. Indian Tribe
E. Interstate	L. Individual
F. Intermunicipal	M. Profit Organization
G. Special District	N. Other (Specify):

A. Increase Award Duration B. Decrease Award C. Increase
D. Decrease Duration Other (specify):

Rural Utilities Service

TITLE:

11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:

12. AREAS AFFECTED BY PROJECT (cities, counties, states, etc.)

14. CONGRESSIONAL DISTRICTS OF:

a. Applicant

b. Project

\$

\$

\$

\$

\$

\$

\$

DATE _____

b. NO. ☐ PROGRAM IS NOT COVERED BY E.O. 12372

☐ OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW☐ Yes

If "Yes," attach an explanation.

☐ No

c. Telephone number	
---------------------	--

e. Date Signed	
----------------	--

INSTRUCTIONS FOR THE SF 424

Public reporting burden for this collection of information is estimated to average 45 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0043), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET, SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

This is a standard form used by applicants as a required facesheet for preapplications and applications submitted for Federal assistance. It will be used by Federal agencies to obtain applicant certification that States which have established a review and comment procedure in response to Executive Order 12372 and have selected the program to be included in their process, have been given an opportunity to review the applicant's submission.

Item: Entry

1. Self-explanatory.
2. Date application submitted to Federal agency (or State, if applicable) & applicant's control number (if applicable).
3. State use only (if applicable).
4. If this application is to continue or revise an existing award, enter present Federal identifier number. If for a new project, leave blank.
5. Legal name of applicant, name of primary organizational unit which will undertake the assistance activity, complete address of the applicant, and name and telephone number of the person to contact on matters related to this application.
6. Enter Employer Identification Number (EIN) as assigned by the Internal Revenue Service.
7. Enter the appropriate letter in the space provided.
8. Check appropriate box and enter appropriate letter(s) in the space(s) provided:
 - "New" means a new assistance award.
 - "Continuation" means an extension for an additional funding/budget period for a project with a projected completion date.
 - "Revision" means any change in the Federal Government's financial obligation or contingent liability from an existing obligation.
9. Name of Federal agency from which assistance is being requested with this application.
10. Use the Catalog of Federal Domestic Assistance number and title of the program under which assistance is required.
11. Enter a brief descriptive title of the project. If more than one program is involved, you should append an explanation on a separate sheet. If appropriate (e.g., construction or real property projects), attach a map showing project location. For preapplications, use a separate sheet to provide a summary description of this project.
12. List only the largest political entities affected (e.g., State, counties, cities.)
13. Self-explanatory.
14. List the applicant's Congressional District and any District(s) affected by the program or project.
15. Amount requested or to be contributed during the first funding/budget period by each contributor. Value of in-kind contributions should be included on appropriate lines as applicable. If the action will result in a dollar change to an existing award, include only the amount of the change. For decreases, enclose the amounts in parentheses. If both basic and supplemental amounts are included, show breakdown on an attached sheet. For multiple program funding, use totals and show breakdown using same categories as item 15.
16. Applicants should contact the State Single Point of Contact (SPOC) for Federal Executive Order 12372 to determine whether the application is subject to the State intergovernmental review process – see <http://www.whitehouse.gov/OMB/grants/spoc.html>
17. This question applies to the applicant organization, not the person who signs as the authorized representative. Categories of debt include delinquent audit allowances, loans and taxes.
18. To be signed by the authorized representative of the applicant. A copy of the governing body's authorization for you to sign this application as official representative must be on file in the applicant's office. (Certain Federal agencies may require that this authorization be submitted as part of the application.

Rural Utilities Service
Rural Development
United States Department of Agriculture

Summary Worksheet

Please print or type.

Legal Name..... _____

Organization Name _____

Contact Person & Title _____

Phone & Fax _____

Email _____

Address _____

Grant Requested _____

Other Funding _____

Total Project Cost _____

(This is not an official Government form. It has been prepared to assist and expedite the application process and is only intended for use in the Public Television Station Digital Transition Grant Program.)

Rural Utilities Service
Rural Development
United States Department of Agriculture

Equal Opportunity and Nondiscrimination Certification

All grants made under the Public Television Station Digital Transition Grant Program are subject to the nondiscrimination provisions of Title VI of the Civil Rights Act of 1964, as amended, (7 CFR Part 15); Section 504 of the Rehabilitation Act of 1973, as amended, (29 U.S.C. 901 *et seq.*; 7 CFR Part 15b); and Age Discrimination of 1975, as amended (42 U.S.C. 6101 *et seq.*; 45 CFR Part 90); and as amended by Executive Order 11375 Amending Executive Order 11246, Relating to Equal Employment Opportunity (3 CFR, 1966, 1970 Comp., p. 684).

All recipients of financial assistance from RUS, the prospective primary participant commits to carry out RUS' established policy to comply with the requirements of the above laws and executive orders to the effect that no person in the United States shall, "on the basis of race, color, national origin, handicap, or age, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under the Public Television Station Digital Transition Grant Program.

The _____ (Grantee)
hereby certifies that, as a prospective recipient under the said Public Television Station Digital Transition Grant Program, it will comply with the above reference laws and executive orders.

(Date)

(Authorized Representative's Signature)

(Name Typed or Printed)

(Title)

(This is not an official Government form. It has been prepared to assist and expedite the application process and is only intended for use in the Public Television Station Digital Transition Grant Program.)

Rural Utilities Service
Rural Development
United States Department of Agriculture

Certificate Regarding Architectural Barriers

All facilities financed with RUS grants that are open to the public, or in which physically handicapped persons may be employed or reside, must be designed, constructed, and/or altered to be readily accessible to, and usable by handicapped persons. Standards for these facilities must comply with the Architectural Barriers Act of 1968, as amended, 42 U.S.C. 4151 *et seq.*) and with the Uniform Federal Accessibility Standards (UFAS), (Appendix A to 41 CFR subpart 101-19.6).

As a prospective primary participant recipient of financial assistance from RUS, this organization commits to carry out RUS' established policy to comply with the requirements of the above referenced law to the effect that all facilities must be readily accessible to and usable by handicapped persons.

The _____ (Grantee) hereby certifies, that, as a prospective recipient under the Public Television Station Digital Transition Grant Program, it is in compliance, or will be in compliance upon completion of the project, with the above referenced law.

(Date)

(Authorized Representative's Signature)

(Name Typed or Printed)

(Title)

(This is not an official Government form. It has been prepared to assist and expedite the application process and is only intended for use in the Public Television Station Digital Transition Grant Program.)

Rural Utilities Service
Rural Development
United States Department of Agriculture

Certificate Regarding Flood Hazard Area Precautions

If the project is located in an area subject to flooding, flood insurance must be provided to the extent available and required under the National Flood Insurance Act of 1968, as amended by the Flood Disaster Protection Act of 1973, as amended (42 U.S.C. 4001 through 4128). If applicable, the insurance must cover, in addition to the buildings, any machinery, equipment, fixtures, and furnishings contained in the buildings. RUS will comply with Executive Order 11988, Floodplain Management (3 CFR, 1977 Comp., p. 117), and 7 CFR 1794.41, of this chapter in considering the application for the project.

Please check the appropriate line below:

- ___ a) The project is not located in a 100 year flood plain; therefore, no Flood Insurance is required.
- ___ b) The project is located in a 100 year flood plain and the required insurance is or will be provided by:

The _____ (Grantee) hereby certifies, that, as a prospective recipient under the Public Television Station Digital Transition Grant Program, it is in compliance, or will be in compliance during construction and/or installation of equipment and upon completion of the project, with the above referenced law.

(Date)

(Authorized Representative's Signature)

(Name Typed or Printed)

(Title)

(This is not an official Government form. It has been prepared to assist and expedite the application process and is only intended for use in the Public Television Station Digital Transition Grant Program.)

Rural Utilities Service
Rural Development
United States Department of Agriculture

***Uniform Relocation Assistance and Real Property Acquisition
Policies Act of 1970 Certification***

The _____ (Grantee) assures that it will comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (Uniform Act), 42 U.S.C. 4601-4655, and with implementing Federal regulations in 49 CFR Part 24 and 7 CFR Part 21.

Specifically, the _____ (Grantee) assures that:

Whenever Federal financial assistance is used to pay for any part of the cost of a program or project which will result in the displacement of any person:

- (a) Fair and reasonable relocation payments and assistance shall be provided to or for displaced persons in accordance with sections 202, 203, and 204 of the Uniform Act;
- (b) Relocation assistance programs offering the services described in section 205 of the Uniform Act shall be provided to displaced persons; and
- (c) Within a reasonable period of time prior to displacement, comparable replacement dwellings will be available to displaced persons in accordance with section 205(c) (3) of the Uniform Act.

Date

(Authorized Representative's Signature)

(This is not an official Government form. It has been prepared to assist and expedite the application process and is only intended for use in the Public Television Station Digital Transition Grant Program.)

Rural Utilities Service
Rural Development
United States Department of Agriculture

***Certification Regarding Drug-Free Workplace Requirements
Alternative I – For Grantees Other than Individuals***

This certification is required by the regulations implementing Sections 5151-5160 of the Drug-Free Workplace Act of 1988 (P.L. 100-690, Title V, Subtitle D; 41 U.S.C. 701 *et seq.*), 7 CFR Part 3017, Subpart F, Section 3017.600, Purpose. The January 31, 1989, regulations were amended and published as Part II of the May 25, 1990, Federal Register (pages 21681-21691). Copies of the regulations may be obtained by contacting the Department of Agriculture agency offering the grant.

ALTERNATIVE I

A. The grantee certifies that it will or will continue to provide a drug-free workplace by:

- (a) Publishing a statement notifying employees that unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing an ongoing drug-free awareness program to inform employees about:
 - (1) The dangers of drug abuse in the workplace;
 - (2) The grantee's policy of maintaining a drug-free workplace;
 - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:
 - (1) Abide by the terms of the statement; and
 - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than 5 calendar days after such conviction;
- (e) Notifying the Agency in writing, within 10 calendar days after receiving notice under subparagraph (d) (2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

- (f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted:
- (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency; and
- (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance:

Street Address *City*

County *State* *Zip Code*

_____ **Check if there are workplaces on file that are not identified here.**

Organization Name

Authorized Representative's Signature *Date*

Name Typed or Printed

(This is not an official Government form. It has been prepared to assist and expedite the application process and is only intended for use in the Public Television Station Digital Transition Grant Program.)

Rural Utilities Service
Rural Development
United States Department of Agriculture

***Certification Regarding Debarment, Suspension, and Other Responsibility
Matters – Primary Covered Transactions***

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 7 CFR Part 3017, Section 3017.510, Participants' Responsibilities. The regulations were published as Part IV of the January 30, 1989, Federal Register (pages 4722-4733). Copies of the regulations may be obtained by contacting the Department of Agriculture agency offering the proposed transaction.

- (1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
- (a) are not presently debarred, suspended, proposed for Debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
 - (b) have not within a 3-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - (d) have not within a 3-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.
- (2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Organization Name

Authorized Representative's Signature

Date

Name Typed or Printed

(This is not an official Government form. It has been prepared to assist and expedite the application process and is only intended for use in the Public Television Station Digital Transition Grant Program.)

Rural Utilities Service
Rural Development
United States Department of Agriculture

***Certification Regarding Lobbying for Contracts, Grants,
Loans, and Cooperative Agreements***

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant or loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. (Copies of this form may be obtained from RUS.)
- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Organization Name

Authorized Representative's Signature

Date

Name Typed or Printed

(This is not an official Government form. It has been prepared to assist and expedite the application process and is only intended for use in the Public Television Station Digital Transition Grant Program.)

Rural Utilities Service
Rural Development
United States Department of Agriculture

Federal Obligations Certification on Delinquent Debt

IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT? _____ YES _____ NO

Note: Example of debts include, but are not limited to, delinquent taxes, guaranteed or direct government loans (more than 31 days past due) and other administrative debts.

If Yes, provide explanatory information.

APPLICANT CERTIFICATION
FEDERAL COLLECTION POLICIES FOR COMMERCIAL DEBT

The Federal Government is authorized by law to take any or all of the following actions in the event that a borrower's loan payments become delinquent or the borrower defaults on its loan: (1) Report the borrower's delinquent account to a credit bureau; (2) Assess additional interest and penalty charges for the period of time that payment is not made; (3) Assess charges to cover additional administrative costs incurred by the Government to service the borrower's account; (4) Offset amounts owed to the borrower under other Federal programs; (5) Refer the borrower's debt to the Internal Revenue Service for offset against any amount owed to the borrower as an income tax refund; (6) Refer the borrower's account to a private collection agency to collect the amount due; and (7) Refer the borrower's account to the Department of Justice for litigation in the courts.

All of these actions can and will be used to recover any debts owed when it is determined to be in the interest of the Government to do so.

Certification

I have read and understand the actions the Federal Government can take in the event that I fail to meet my scheduled payments in accordance with the terms and conditions of my agreements.

Signed: _____

Title: _____

Company: _____

Date: _____

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Rural Utilities Service
Rural Development
United States Department of Agriculture

***Public Television Station Digital Transition Grant Program
Environmental Questionnaire/Certification***

Environmental Project Summary:

(This description should encompass all construction in the project, no matter the source of funding. It should provide details of how the project will impact the environment (wetlands, farmlands, floodplain, cultural environment, endangered species, environmental quality, and historic preservation). If additional space is needed, continue on white bond paper and insert between the first and second pages.)

If the construction proposed in this application, as described above, will not impact the environment or historic preservation, you may sign the certification indicating that no adverse impact and skip filling out the questionnaire.

CERTIFICATION

I hereby certify that the construction proposed in this application will not adversely impact the environment or historic preservation.

(Signature and Date)

(Print or Type Title)

QUESTIONNAIRE

Note: It is extremely important to respond to all questions completely to ensure expeditious processing of the Public Television Station Digital Transition Grant Program application. The information herein is required by Federal law.

Important: Any activity related to the project that may adversely affect the environment or limit the choice of reasonable development alternatives shall not be undertaken prior to the completion of Rural Utilities Service's environmental review process.

Legal Name of Applicant _____

Signature (Type, sign, & date) _____

The applicant's representative certifies to the best of his/her knowledge and belief that the information contained herein is accurate. Any false information may result in disqualification for consideration of financial assistance or the rescission of financial assistance.

I. Project Description - Detailing construction, including, but not limited to internal modifications of existing structures, and/or installation of telecommunications transmission facilities including satellite uplinks or downlinks, microwave transmission towers, and cabling.

1. Describe the portion of the project, and site locations (including legal ownership of real property), involving internal modifications, or equipment additions to buildings or other structures (e.g., relocating interior walls or adding computer facilities) for each site.

II. For projects that involve construction of transmission facilities, including cabling, microwave towers, satellite dishes, or physical disturbance of real property of .99 acres or greater, the following information must be submitted (7 CFR 1703.109(i)(3)).

1. A map (*preferably a U.S. Geological Survey map*) of the area for each site affected by construction (include as an attachment).
2. A description of the amount of property to be cleared, excavated, fenced, or otherwise disturbed by the project and a description of the current land use and zoning and any vegetation for each project site affected by construction.
3. A description of buildings or other structures (i.e., transmission facilities), including dimensions, to be constructed or modified.
4. A description of the presence of wetlands or existing agricultural operations and/or threatened or endangered species or critical habitats on or near the project site(s) affected by construction.
5. Describe any actions taken to mitigate any environmental impacts resulting from the proposed project (use attachment if necessary).

Note: The applicant may submit a copy of any environmental review, study assessment, report or other document that has been prepared in connection with obtaining permits, approvals, or other financing for the proposed project from State, local or other Federal bodies. Such material, to the extent relevant, may be used to meet the requirements herein.

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Rural Utilities Service
Rural Development
United States Department of Agriculture

The Buy American Act (41 U.S.C. 10a - 10d) gives preference to those products that are manufactured in the United States or an eligible country, and are substantially all from articles, materials, and supplies mined, produced, or manufactured in the United States or eligible country. The list of eligible countries can be found at:

www.usda.gov/rus/electric/listmat/eligible.htm

“Buy American” CERTIFICATION

I hereby certify that the equipment to be procured under the prospective grant will comply with the Buy American Act.

(Signature and Date)

(Print or Type Title)

DEPARTMENT OF AGRICULTURE

Rural Utilities Service

Public Television Station Digital Transition Grant Program

AGENCY: Rural Utilities Service, USDA.

ACTION: Notice of Funds Availability.

SUMMARY: The Rural Utilities Service (RUS) announces a new grant program to finance the conversion of television services from analog to digital broadcasting for public television stations serving rural areas. For Fiscal Year 2003, \$15 million in grants will be made available through a national competition to enable public television stations which serve substantial rural populations to continue serving their coverage areas.

DATES: Applications for grants will be accepted as of the date of this notice through September 16, 2003. All applications must be delivered to RUS or bear postmark no later than September 16, 2003. Comments regarding the information collection requirements under the Paperwork Reduction Act must be received on or before September 16, 2003 to be assured of consideration.

ADDRESSES: Applications shall be submitted to Roberta D. Purcell, Assistant Administrator, Telecommunications Program, Rural Utilities Service, USDA, STOP 1590, 1400 Independence Avenue, SW., Washington, DC 20250-1590.

FOR FURTHER INFORMATION CONTACT: Roberta D. Purcell, Assistant Administrator, Telecommunications Program, Rural Utilities Service, STOP 1590, 1400 Independence Avenue, SW., Washington, DC 20250-1590, Telephone (202) 720-9554, Facsimile (202) 720-0810.

SUPPLEMENTARY INFORMATION:

Information Collection and Recordkeeping Requirements

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35), RUS invites comments on this information collection for which RUS intends to request approval from the Office of Management and Budget (OMB). These requirements are pending emergency clearance by OMB.

Comments on this notice must be received by September 16, 2003.

Comments are invited on (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of burden including the validity of the methodology and assumption used; (c) ways to enhance the quality, utility and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Comments may be sent to F. Lamont Heppe, Jr., Director, Program Development and Regulatory Analysis, Rural Utilities Service, U.S. Department of Agriculture, 1400 Independence Ave., SW., Stop 1522, Room 4034 South Building, Washington, D.C. 20250-1522.

Title: Public Television Station Digital Transition Grant Program.

Type of Request: New collection.

Estimate of Burden: Public reporting burden for this collection of information is estimated to average 21 hours per response.

Respondents: .

Estimated Number of Respondents: 50.

Estimated Number of Responses per Respondent: 1.12

Estimated Total Annual Burden on Respondents: 1,168 hours.

Copies of this information collection can be obtained from Michele Brooks, Program Development and Regulatory Analysis, at (202) 690-1078.

All responses to this information collection and recordkeeping notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

General Information

As part of the nation's evolution to digital television, the Federal Communications Commission has ordered all television broadcasters to initiate the broadcast of a digital television signal by May 1, 2003, and to cease analog television broadcasts on December 31, 2006. About half of the nation's 357 public television stations did not meet the deadline to initiate digital broadcasting, and have received extensions to as late as May 1, 2004, to do so.

The Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Bill, 2003, authorized \$51,941,000 for the Distance Learning and

Telemedicine program. The Committee Recommendations specify that of the funds provided for Distance Learning and Telemedicine, \$15,000,000 should be made available in grants for public broadcasting systems to meet this goal. The Committee further recognizes that these stations will have considerable financial difficulty in meeting that deadline.

Public television stations rely largely on community financial support to operate. In many rural areas the cost of the transition to digital broadcasting may exceed community resources. Since rural communities depend on public television stations for services ranging from educational course content in their schools to local news, weather, and agricultural reports, any disruption of public television broadcasting would be detrimental.

Initiating a digital broadcast requires the installation of a new antenna, transmitter or translator, and new digital program management facilities consisting of processing and storage systems. Public television stations use a combination of transmitters and translators to serve the rural public. If the public television station is to perform program origination functions, as most do, digital cameras, editing and mastering systems are required. A new studio-to-tower site communications link may be required to transport the digital broadcast signal to each transmitter and translator. The capability to broadcast some programming in a high definition television format is inherent in the digital television standard, and this can require additional facilities at the studio. These are the new components of the digital transition.

In designing the national competition for the distribution of these grant funds, priority is given to public television stations serving the areas that would be most unable to fund the digital transition without a grant. The largest sources of funding for public television stations are public membership and business contributions. In rural areas, lower population density reduces the field

of membership, and rural areas have fewer businesses per capita than urban and suburban areas. Therefore, rurality is a primary predictor of the need for grant funding for a public television station's digital transition. In addition, some rural areas have per capita income levels that are lower than the national average, and public television stations covering these areas in particular are likely to have difficulty funding the digital transition. As a result, the consideration of the per capita income of a public television station's coverage area is a secondary predictor of the need for grant funding. Finally, some public television stations may have, or may meet in their communities, critical needs, and a third scoring factor for critical need will account for conditions that make these public television stations less likely to accomplish the digital transition without a grant.

Definitions

As used in this notice:

Consortium means a combination or group of public television stations.

Digital television, or DTV, means a new television system which will replace the current analog system, which was designed by and is referred to as the National Television Standards Committee, or NTSC, system. The standard for digital television was adopted by the Federal Communications Commission on December 24, 1996, after being developed by the Advanced Television Standards Committee, or ATSC.

Digital television coverage area means the geographic area that will be covered by a public television station after its digital transition. This shall be defined using the Irregular Terrain Model (Longley-Rice model) developed by and available from the National Telecommunications and Information Administration at <http://elbert.its.bldrdoc.gov/itm.html>.

For translators only, an applicant may define the digital television coverage area using an alternative means, which must be explained fully in the application and is subject to acceptance by the RUS.

Digital transition means a conversion from analog television broadcasting to digital television broadcasting. To perform the digital transition according to Federal Communications Commission rules, a broadcaster must initiate digital television broadcasting while continuing to operate analog television broadcasting, to enable viewers time to acquire digital television reception capability, and subsequently discontinue analog television broadcasting.

Distance learning means a digital public television broadcast from one area, whether rural or not, to a school, library, home, or other end-user site located in a rural area, for the purpose of providing educational and cultural programming.

High definition television, or HDTV, means an enhanced television service which is authorized by the Federal Communications Commission as part of the digital television standard.

Public television station means a television broadcast station, which (1)(A) under the rules and regulations of the Federal Communications Commission in effect on November 2, 1978, is eligible to be licensed as a noncommercial educational broadcast station and which is owned and operated by a public agency or nonprofit private foundation, corporation, or association, or (B) is owned and operated by a municipality and which transmits only noncommercial programs for education purposes, and which (2) qualifies for Federal funding under Section 396(k) of the Public Broadcasting Act of 1967. Public television station facilities, for the purposes of this Notice, include associated television translators and studio-to-transmitter/translator communications links.

Rural area means any area of the United States that is not in an urban area.

Rural Utilities Service, or RUS, is an agency of the United States Department of Agriculture which will administer the Public Television Station Digital Transition Grant Program.

Total project cost means the estimated sum of expenditures necessary for a public television station to perform the digital transition for all of the rural population in its digital television coverage area. This would include RUS grant funds requested, and funding contributions for this purpose from other organizations, including the Federal government.

Urban area means any area of the United States included within the boundaries of any incorporated or unincorporated city, village, or borough having a population in excess of 20,000 inhabitants.

Applicant Eligibility

Eligibility for grants is limited to public television stations that serve a rural area, and consortia of public television stations, where each public television station in the consortium serves a rural area. Public television stations which serve urban areas in addition to a rural area are eligible to apply for grants under this Notice.

Eligible Projects

Grants shall be made to enable applicants to perform digital transitions of television broadcasting serving rural areas. Grant funds may be used to acquire, by purchase or lease, and install, facilities and software necessary to the digital transition. Grant funds may also be used for associated engineering and environmental studies necessary to this implementation. When facilities are acquired by lease, up to three years' lease costs shall be eligible for grant funding.

Maximum Amounts of Grants

Grants shall be limited in amount to \$2 million where the applicant is an individual public television station. Where the applicant is a consortium of public television stations, the grant limit is the total of \$2 million for the first station plus \$1 million for each additional public television station in the consortium, up to a maximum of \$5 million. Only one grant will be made to a public television station or consortium.

Eligible Purposes of Grants

(a) Digital transmitters and translators, including all facilities required to initiate DTV broadcasting. All broadcast facilities acquired with grant funds shall be capable of delivering DTV programming and HDTV programming, at both the interim and final channel and power authorizations.

(b) To be an eligible grant purpose, an expenditure must be made after the application deadline specified elsewhere in this Notice. Expenditures made prior to this deadline are not eligible for funding.

(c) Facilities for which other grant funding has been approved are not eligible for funding under this program.

Ineligible Purposes

Grant funds shall not be used to fund ongoing operations or for facilities that will not be owned by the applicant, except for leased facilities as provided above. Costs of salaries, wages, and employee benefits of public television station personnel are not eligible for funding under this program.

Scoring Criteria for the Grant Competition

Grants will be tested for applicant and project eligibility, and all applications found to be eligible will be scored. Each grant will be scored in three categories: the *rurality* of the applicant's digital television coverage area, the average *per capita income* of the applicant's digital television coverage area, and *critical need*.

(a) Rurality is a measure of the rural character of the applicant's digital television coverage area. Points are scored through a two-step evaluation, as follows:

(1) If the total population in the applicant's digital television coverage area is less than 100,000, the application receives 50 points;

(2) If the total population in the applicant's digital television coverage area is 100,000 or more, points are scored based on the applicant's rural ratio. The rural ratio is the ratio of the rural population covered by a public television station's digital television coverage area to the total population covered by the station's digital television coverage area. Applicants shall calculate the rural ratio by subtracting the populations of all urban areas within the digital television coverage area from the total population of the digital television coverage area, and dividing the total covered population into the covered rural population. The result is rounded to the nearest whole percentage point. The score is computed as follows:

(A) If the rural ratio is 50% or less, the application receives zero (0) points.

(B) If the rural ratio is 51% to 57%, the application receives ten (10) points.

(C) If the rural ratio is 58% to 65%, the application receives twenty (20) points.

(D) If the rural ratio is 66% to 74%, the application receives thirty-five (35) points.

(E) If the rural ratio is over 74%, the application receives fifty (50) points.

(b) Per capita income (PCI) is a measure of the relative average earnings of the population in the applicant's digital television coverage area. Applicants must use the per capita personal income by county, as determined by the Bureau of Economic Analysis, U.S. Department of Commerce, at <http://www.bea.doc.gov/bea/regional/reis/>. The applicant shall compute the weighted average PCI for its digital television coverage area by averaging the PCIs for all counties within its digital television coverage area. The ratio of the applicant's average PCI to the National Average Per Capita Income (NAPCI) is scored as follows:

- (1) If the PCI/NAPCI ratio is 80% or greater, the application receives zero (0) points.
- (2) If the PCI/NAPCI ratio is 70% to 79%, the application receives ten (10) points.
- (3) If the PCI/NAPCI ratio is 60% to 69%, the application receives twenty (20) points.
- (4) If the PCI/NAPCI ratio is less than 60%, the application receives thirty-five (35) points.

(c) Critical need is a measure of the special difficulty an applicant may experience performing the digital transition, and the dependence the applicant's rural communities have on its services. This scoring category is intended to account for factors not covered by other categories. Up to fifteen (15) points may be scored where an applicant demonstrates, to the satisfaction of the RUS, that it cannot make the digital transition without a grant from RUS, and that rural education and other community service needs will go unmet as a result. An applicant should identify special characteristics unique to its digital television coverage area and its service relationship with its viewers, such as:

- (1) Geographic or coverage characteristics of the public television station's digital television coverage area that make the digital transition unusually expensive;

(2) A severe lack of specialized human resources (such as teachers) for which digital educational television will compensate;

(3) Geographic isolation of communities which will be overcome with public television station services;

(4) Non-traditional community needs (such as adult vocational retraining) that may be met only with digital public television station broadcast capabilities;

(5) Economic conditions that place the applicant at a disadvantage in raising local funding, but which are not reflected in the per capita income levels scored above; and

(6) Historical events that have placed the public television station in severe financial stress.

The Grant Application

The grant application shall include the following:

(a) An application for federal assistance, Standard Form 424.

(b) An executive summary, not to exceed two pages, describing the public television station, its service area and offerings, its current digital transition status, and the proposed project.

(c) Evidence of the applicant's eligibility to apply under this Notice.

(d) A spreadsheet showing the total project cost, with a breakdown of items sufficient to enable RUS to determine item eligibility.

(e) A map or maps, showing the digital television coverage area for all of the applicant's transmitters and translators.

(f) The applicant's estimated rurality score, supported by a worksheet showing the population of its digital television coverage area, the derivation of the urban and rural

components of that population, and a map showing the digital television coverage area and all urban areas within its boundaries. Supporting information shall list the sources of all population and coverage area information, and if the application includes computations made by a consultant or other organization outside the public television station, shall state the details of that collaboration.

(g) The applicant's estimated per capita income ratio, supported by a worksheet showing the averaging of the PCIs for all counties served.

(h) If applicable, a presentation not to exceed two pages demonstrating critical need.

(i) Evidence that the Federal Communications Commission has authorized the initiation of digital broadcasting at each of the applicant's transmitter and translator sites. In the event that a Federal Communications Commission construction permit has not been issued for one or more sites, the RUS may include those sites in the grant, and make advance of funds for that site conditional upon the submission of a construction permit.

(j) Compliance with other Federal statutes. The applicant must provide evidence of compliance with other Federal statutes and regulations, including, but not limited to the following:

- (1) Executive Order (E.O.) 11246, Equal Employment Opportunity, as amended by E.O. 11375 and as supplemented by regulations contained in 41 CFR Part 60;
- (2) Architectural barriers;
- (3) Flood hazard area precautions;
- (4) Assistance and Real Property Acquisition Policies Act of 1970;
- (5) Drug-Free Workplace Act of 1998 (41 U.S.C. 701);
- (6) E.O.s 12549 and 12689, Debarment and Suspension; and
- (7) Byrd Anti-Lobbying Amendment (31 U.S.C. 1352).

(k) Environmental impact and historic preservation. The applicant must provide details of the digital transition's impact on the environment and historic preservation, and comply with 7 CFR 1794, which contains RUS' policies and procedures for implementing a variety of federal statutes, regulations, and executive orders generally pertaining to the protection of the quality of the human environment. The application shall contain a separate section entitled "Environmental Impact of the Digital Transition." This shall include the Environmental Questionnaire/Certification, which is available from RUS, on which the applicant describes the impact of its digital transition. Submission of the Environmental Questionnaire/Certification does not constitute compliance with 7 CFR 1794.

Grant Documents

The terms and conditions of grants shall be set forth in grant documents prepared by RUS. The documents shall require the applicant to own all facilities financed by the grant. Among other matters, RUS may prescribe conditions to the advance of funds that address the construction of the project and the delivery of distance learning services to rural areas.

Dated:

Hilda Gay Legg
Administrator, Rural Utilities Service.